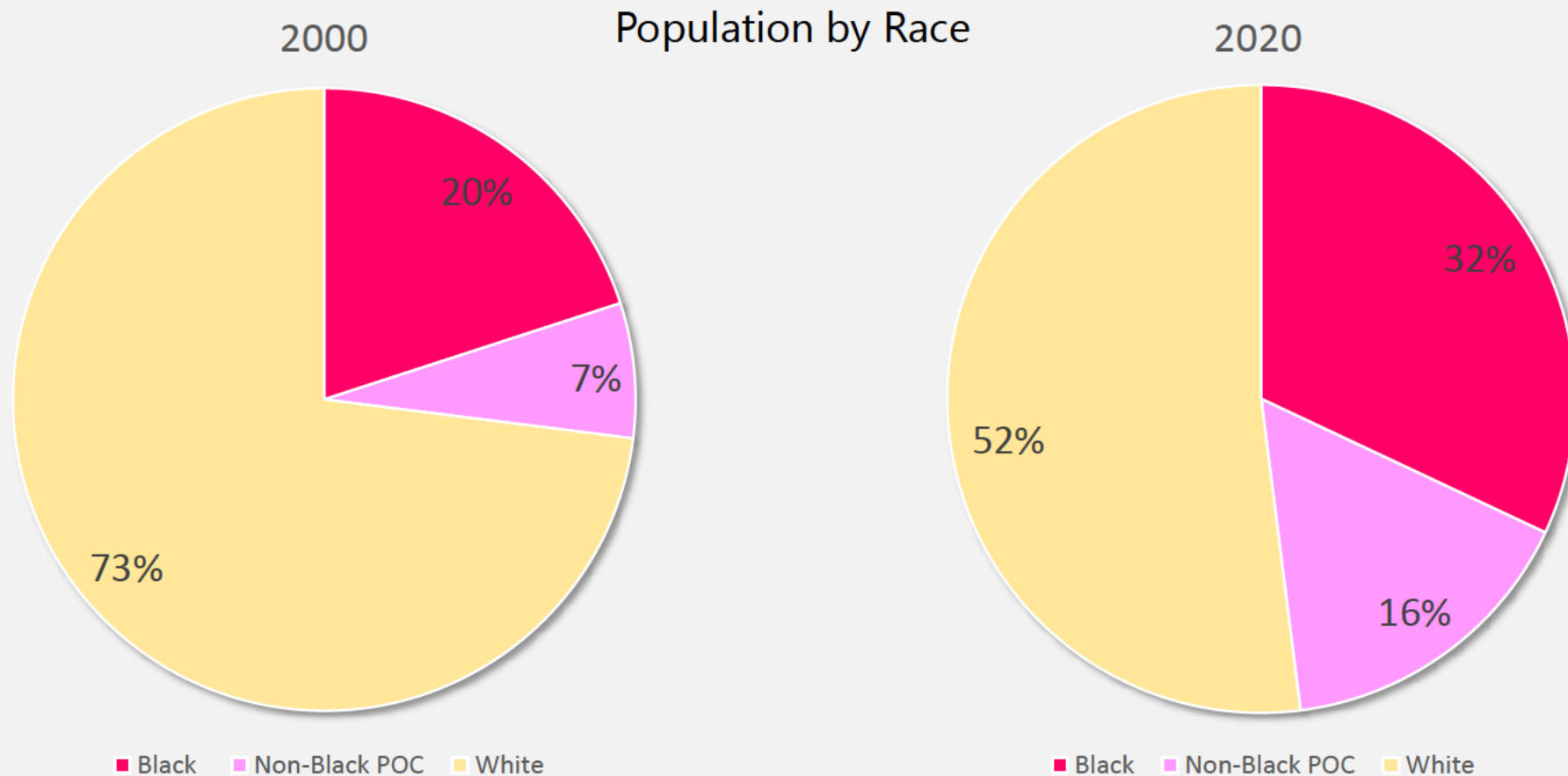


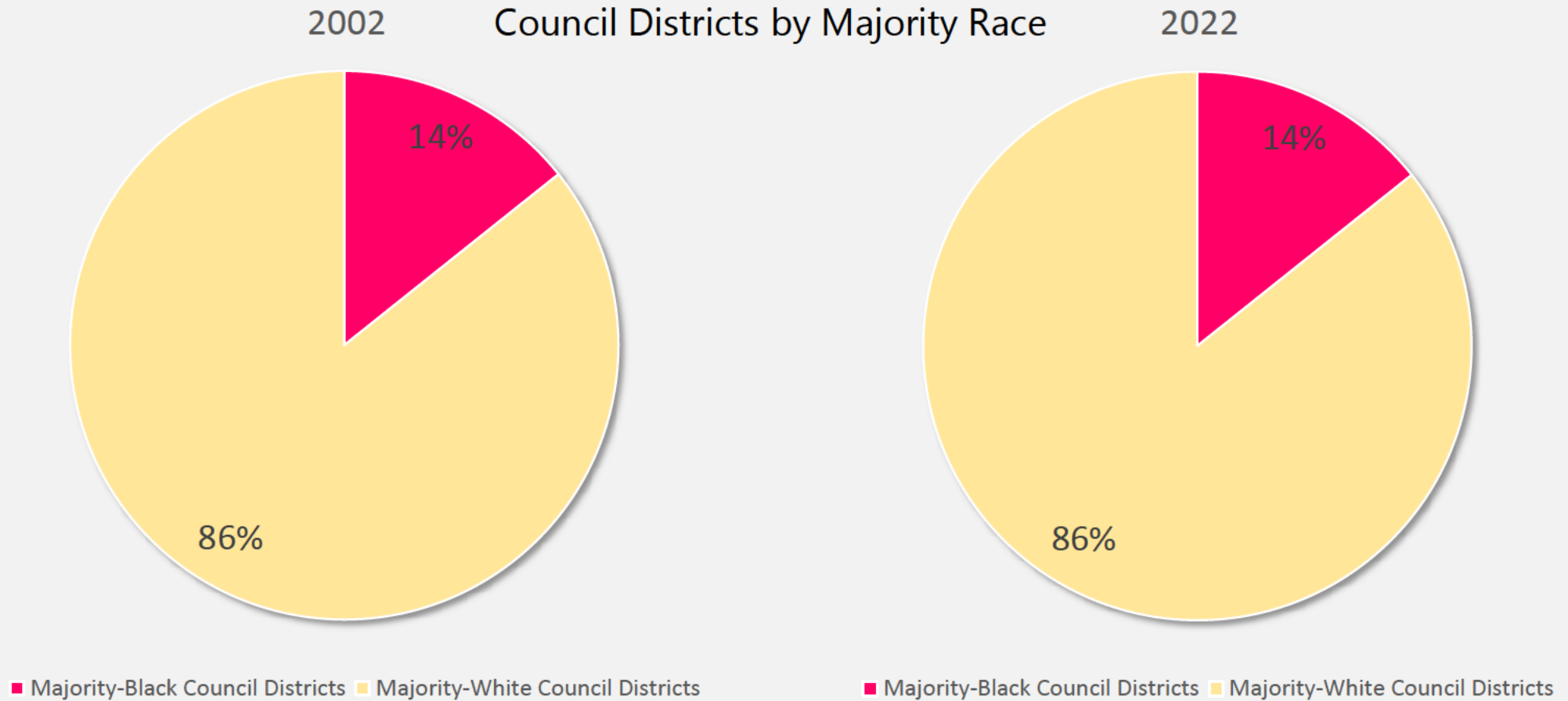
*Baltimore County Branch of the NAACP, et al. v.
Baltimore County, Maryland, et al.*

Hearing on Plaintiffs' Motion for Preliminary Injunction
February 15, 2022

Baltimore County has experienced dramatic racial diversification.



The Electoral Map is stuck in the year 2000.



Gingles Factors

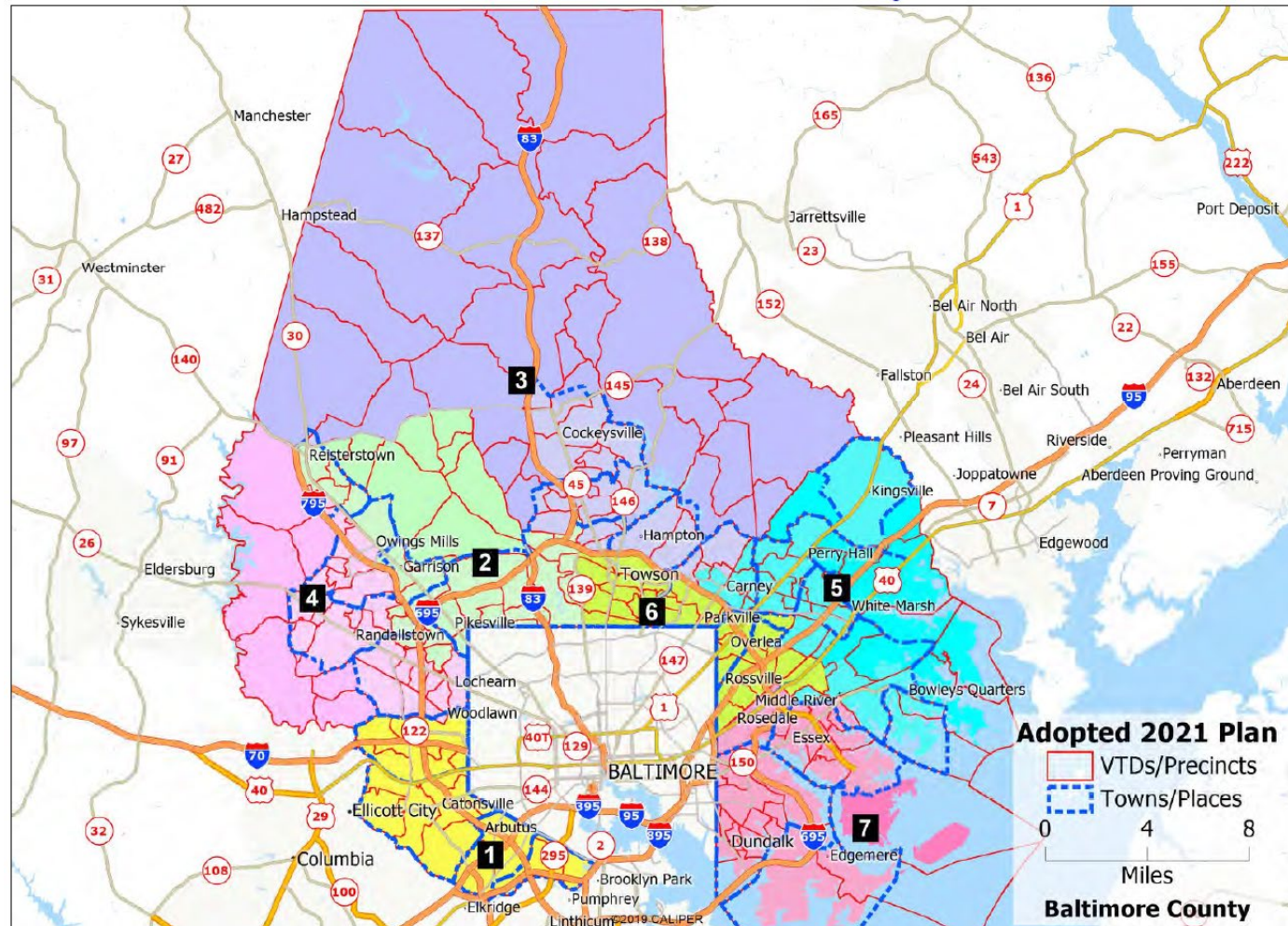
Thornburg v. Gingles,
478 U.S. 30 (1986)

1. It is feasible to draw a map with two majority-Black districts.

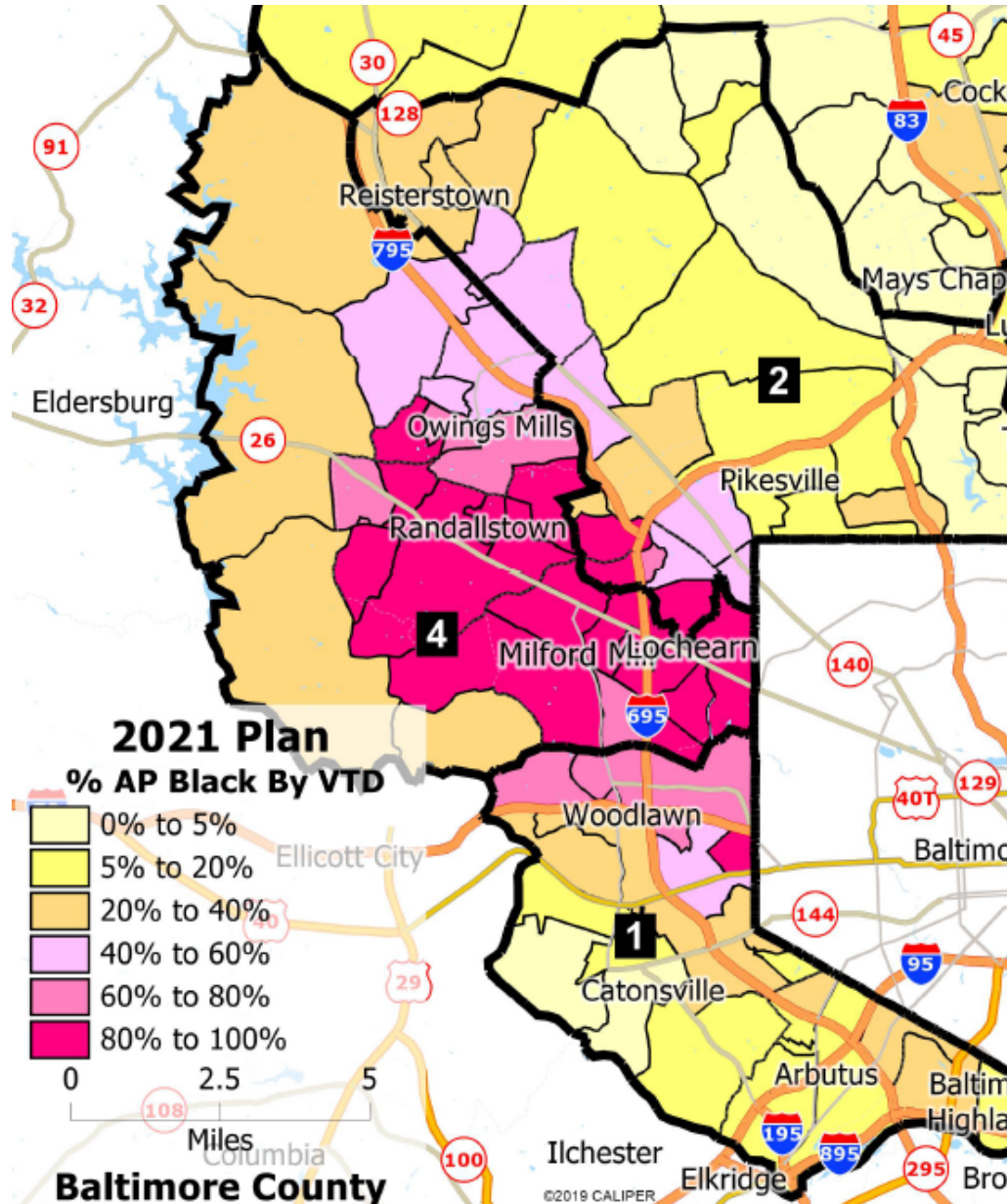
2. The Black community is politically cohesive.

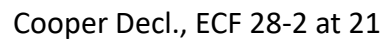
3. White voters vote sufficiently as a bloc usually to defeat Black-preferred candidates.

2022 County Map

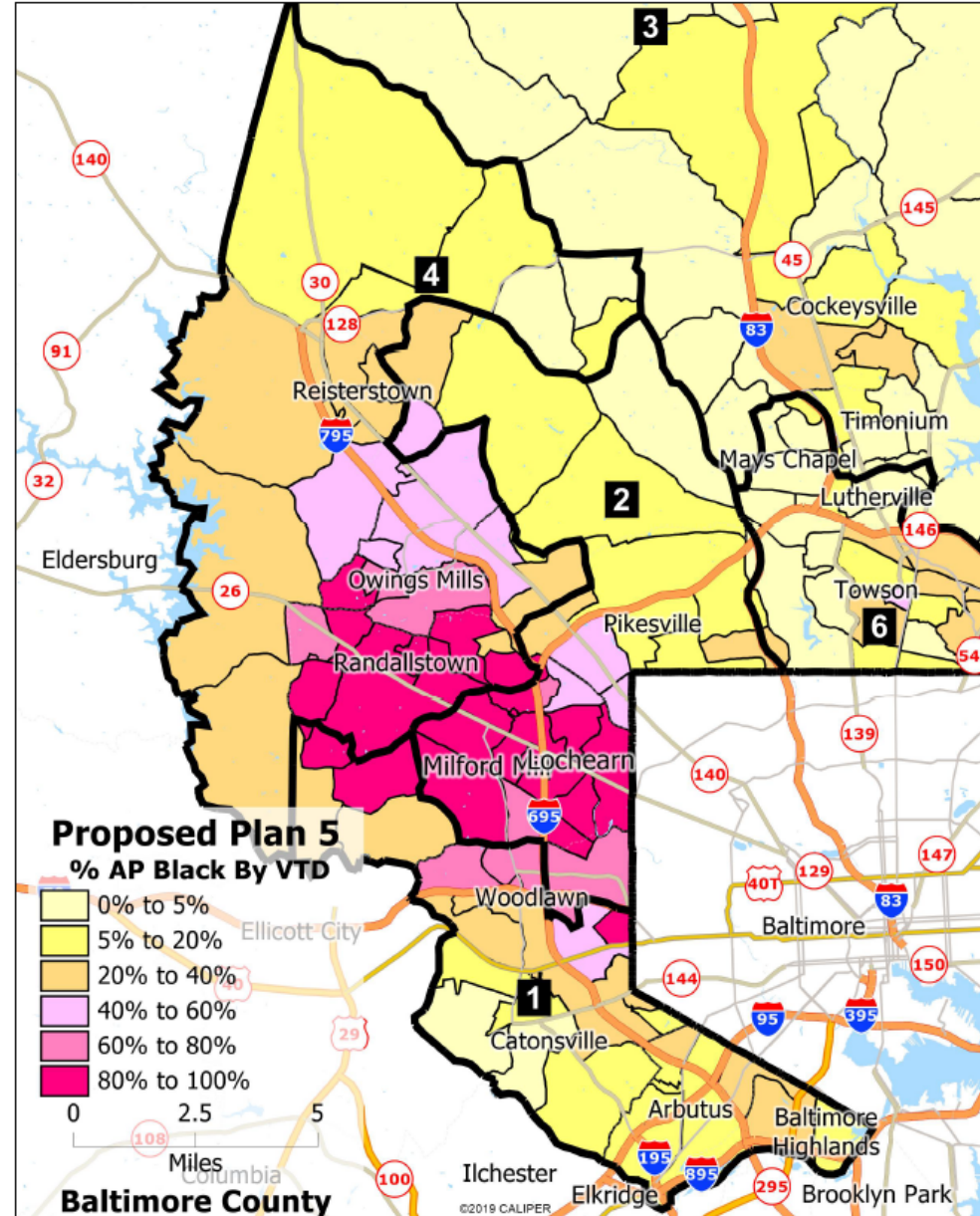


The County Map packs Black voters into District 4 and cracks them between Districts 1 and 2.

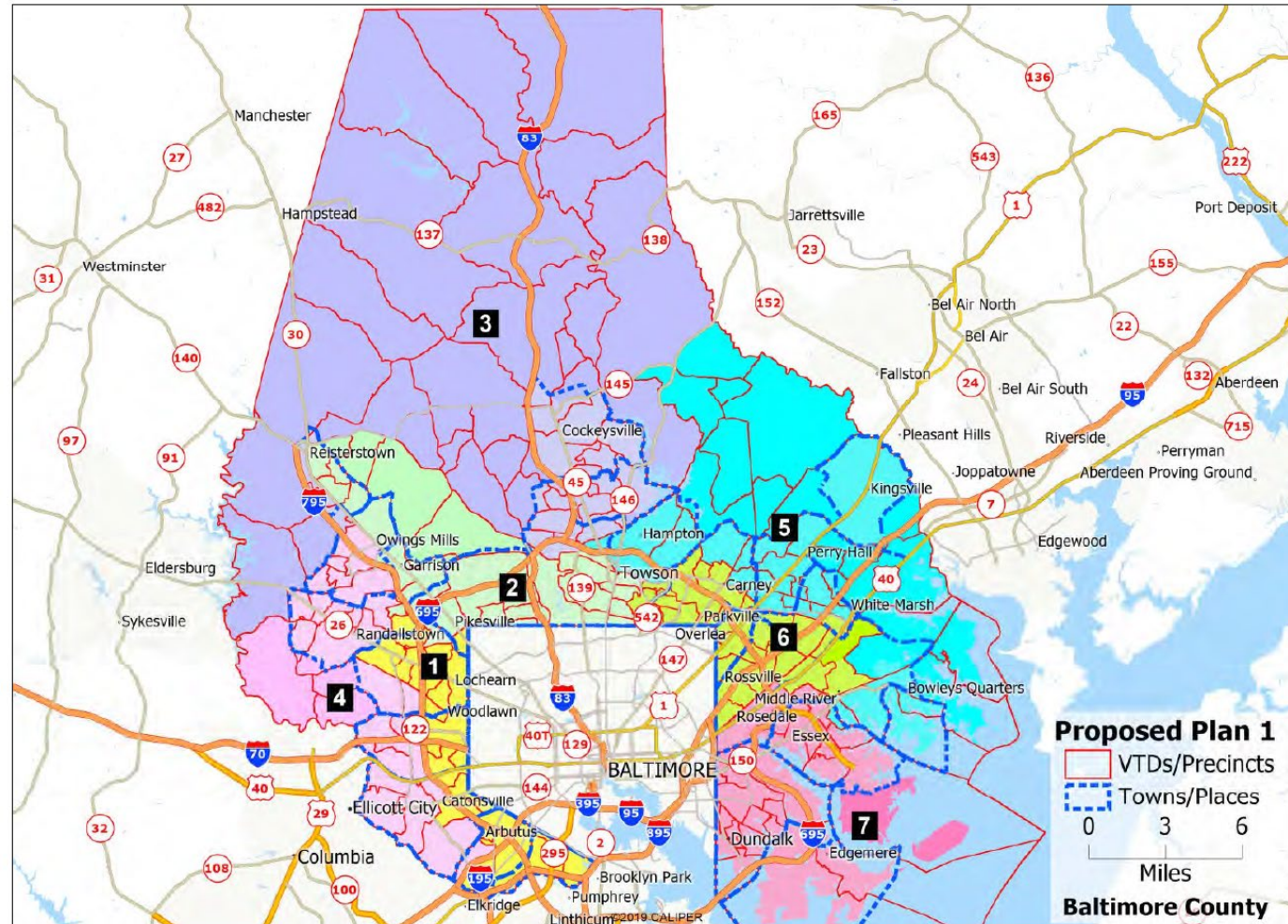




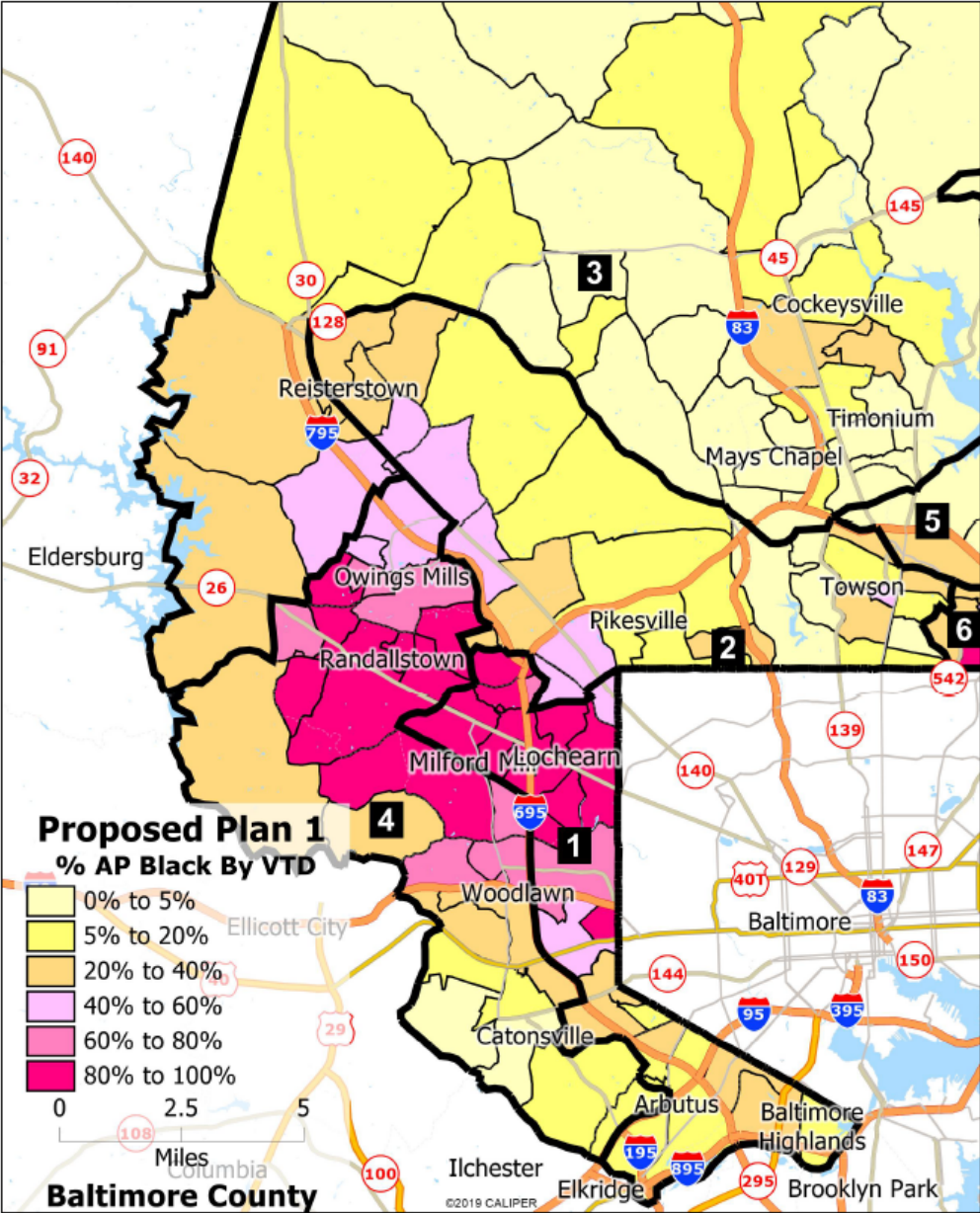
Plan 5 creates two majority-Black districts while complying with traditional redistricting principles.



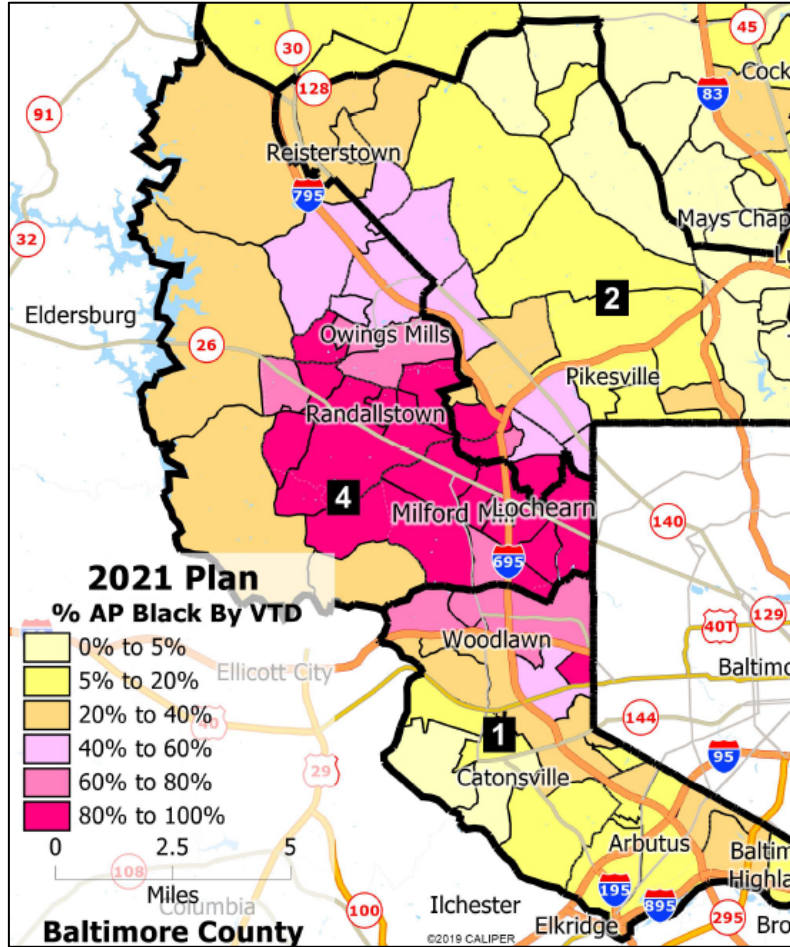
Proposed Plan 1



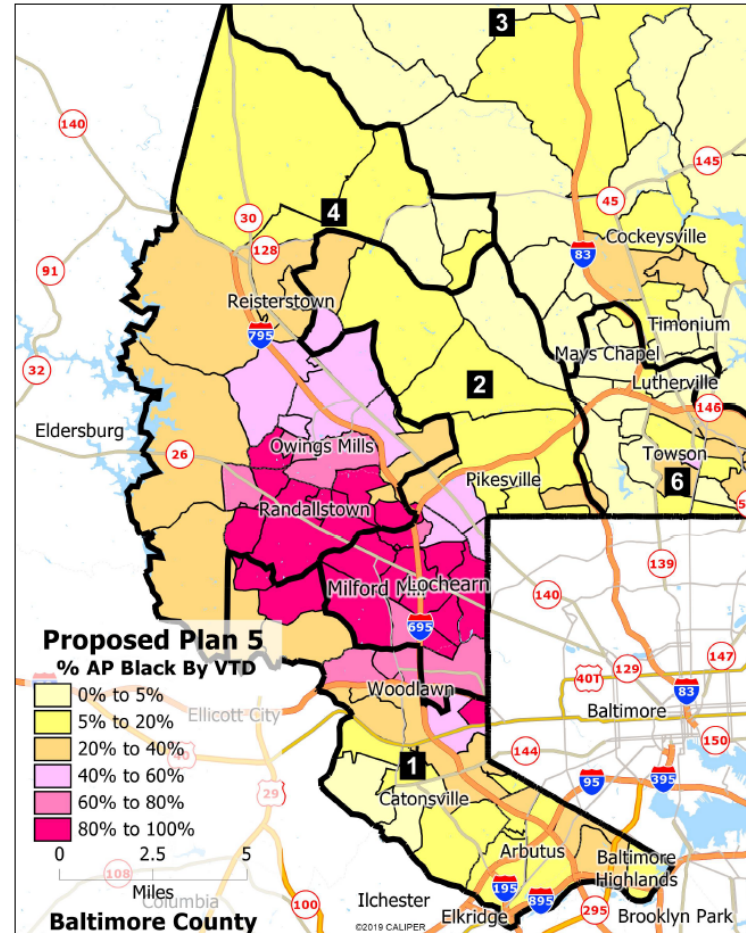
Plan 1 creates two majority-Black districts while complying with traditional redistricting principles.



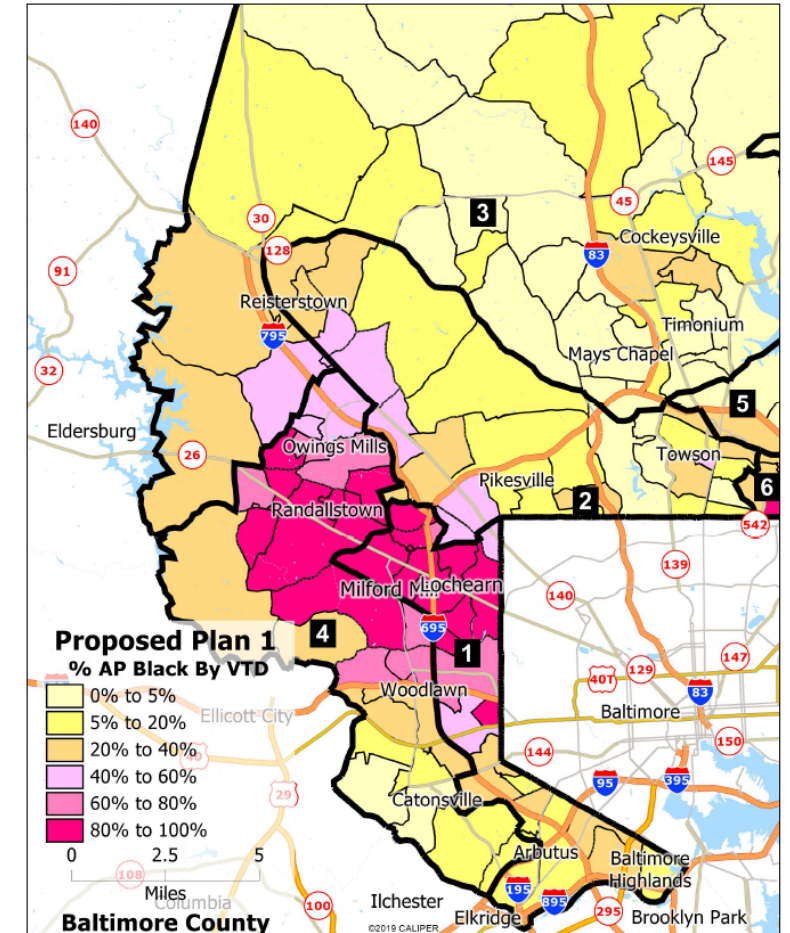
2022 County Map



Proposed Plan 5

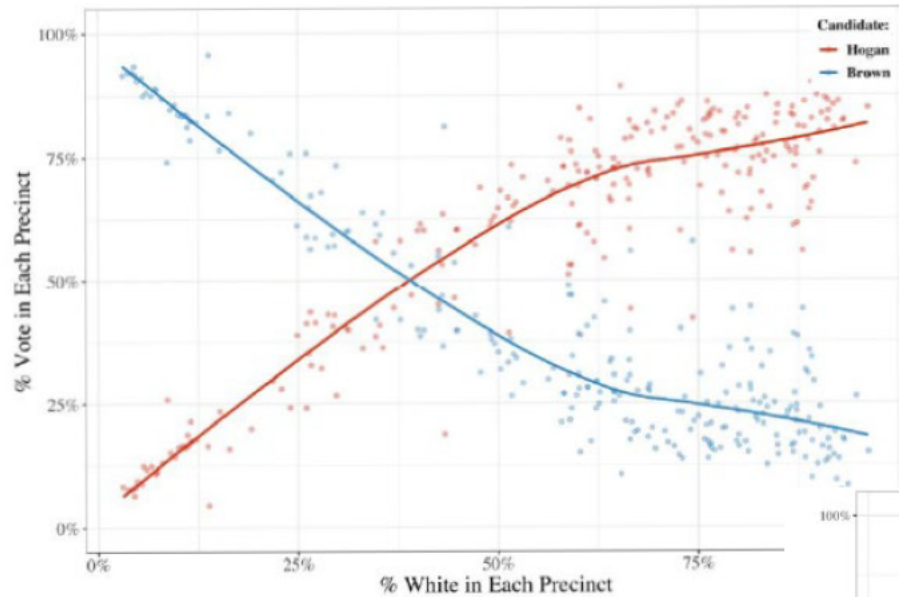


Proposed Plan 1

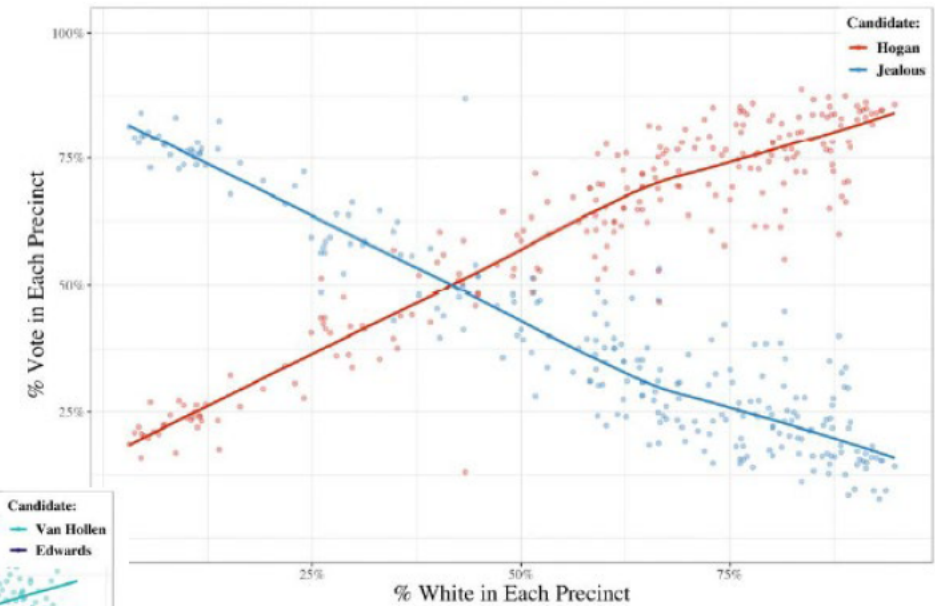


Gingles 2: There is a strong pattern of racially polarized voting.

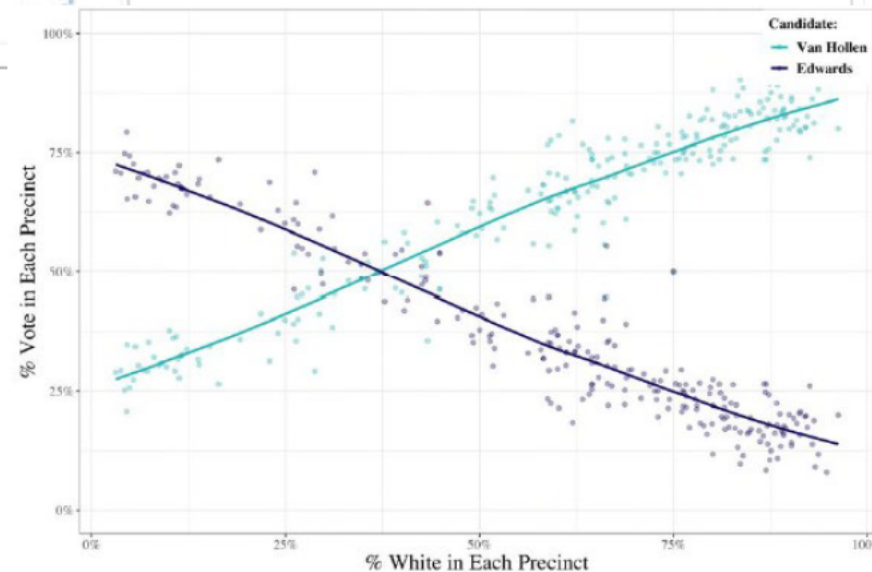
2014 Gubernatorial Election
Countywide



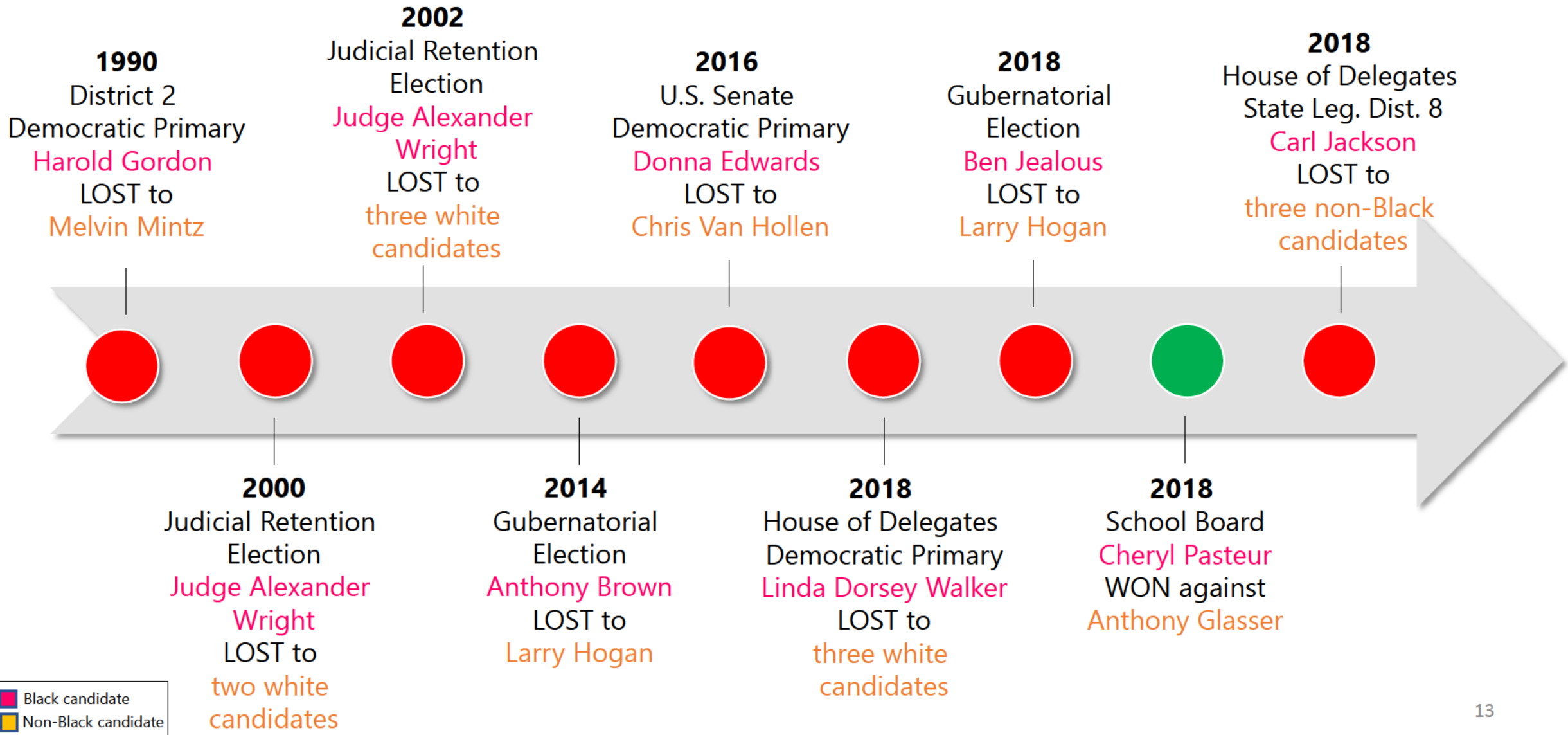
2018 Gubernatorial Election
Countywide



2016 Senate Democratic Primary Election
Countywide



Gingles 3: White bloc voting usually defeats Black candidates.



The election of Ms. Pasteur to the school board was an anomaly.



Long-time, well-respected
teacher and principal

Vigorous campaign

Virtually unopposed

White bloc voting has discouraged Black candidates from running in majority-white districts.

“[C]onsistent losses by the few Black candidates who risked running countywide or in majority-white districts within the County have reinforced the strong view among Black residents and prospective candidates that such races are unwinnable, discouraging others from undertaking long-shot contests.”

- *Declaration of Anthony Fugett*

Totality of the Circumstances & Senate Factors

History of
voting-related
discrimination

Socioeconomic
disparities in
housing, education,
income, etc.

Voters are racially
polarized

Rate of Black
candidates elected
to public office

Voting practices
enhance the
opportunity for
discrimination

Lack of
responsiveness to
Black voters

Baltimore County has an extensive history of exclusion and discrimination.

The U.S. Commission on Civil Rights described the County as a "white noose" around Baltimore City.

Brown Decl., ECF 28-5 ¶ 12

Housing

- Exclusion of rental and affordable housing
 - Brown Decl., ECF 28-5 ¶¶ 8-29
- Current violation of Voluntary Compliance Agreement with HUD
 - Hill Decl., ECF 41-5 ¶¶ 8-11

Education

- Long-time segregation of schools; ongoing opposition to desegregation
 - Brown Decl., ECF 28-5 ¶¶ 30-32
- Neglect of west-side schools
 - Pasteur Decl., ECF 41-3 ¶ 15

Representation

- No Black candidate has been elected to the County Council from a majority-white district.
- Neglect of west-side, inside-the-Beltway communities
 - Sydnor Decl., ECF 41-4 ¶ 10
- Councilman Quirk cannot find a candidate of color to run in District 1.
 - Quirk Decl., ECF 45-1 ¶ 11

Plaintiffs will suffer irreparable harm if an injunction is not granted.

"[O]nce the election occurs, there can be no do-over and no redress. The injury to these voters is real and completely irreparable if nothing is done to enjoin this law."

League of Women Voters of North Carolina v. North Carolina,
769 F.3d 224, 247 (4th Cir. 2014).

Election Deadlines

March 22, 2022:
Candidate Registration Deadline

June 28, 2022:
Primary Election

Councilmanic elections
are for *four-year* terms.

Exhibits

Dr. Matt A. Barreto

Professor of Political Science and Chicana/o Studies at UCLA

Figure 2A: Vote Choice in the 2014 Gubernatorial Election in Baltimore County

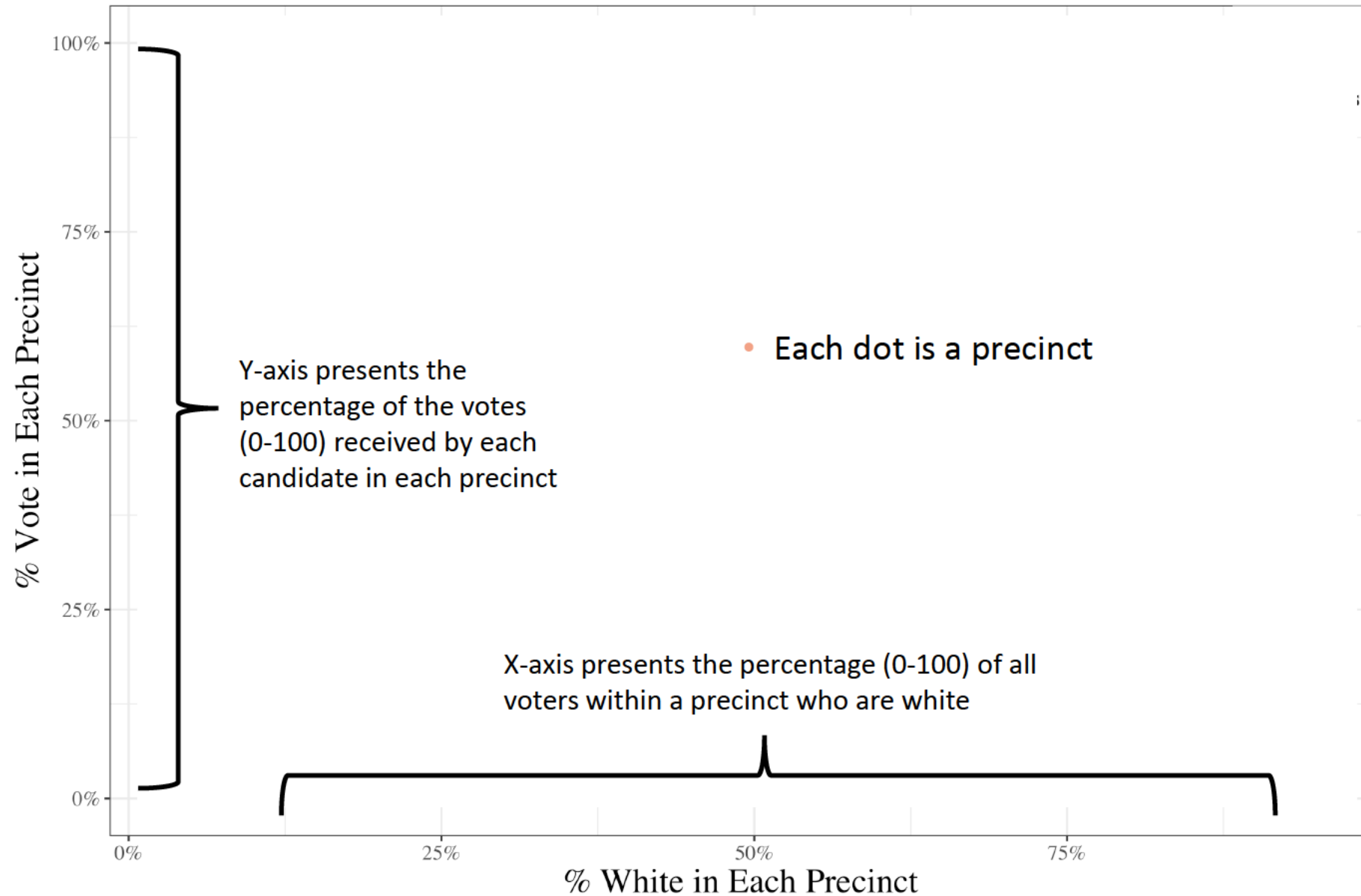


Figure 2A: Vote Choice in the 2018 Gubernatorial Election in Baltimore County

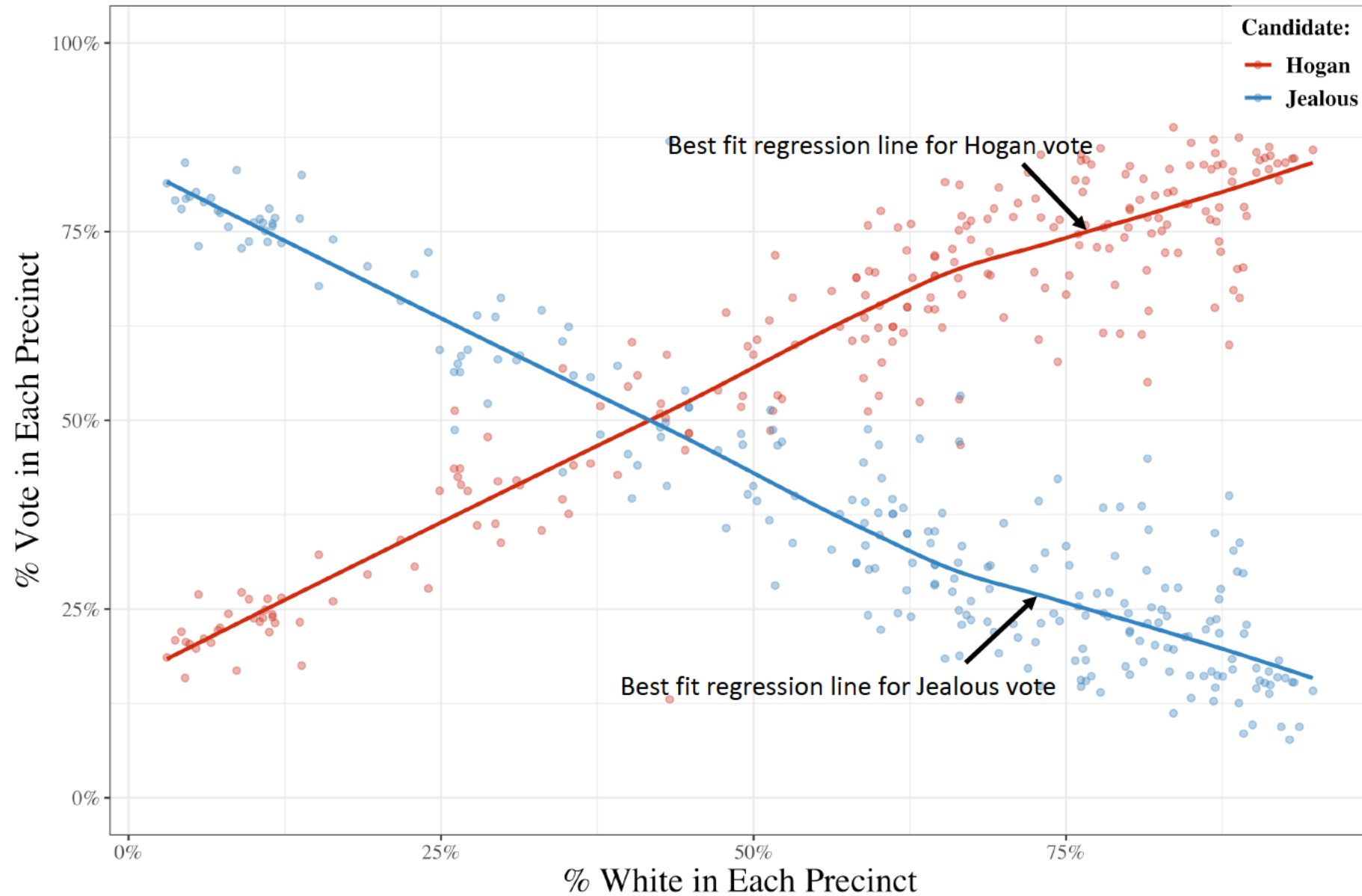


Figure 2A: Vote Choice in the 2018 Gubernatorial Election in Baltimore County

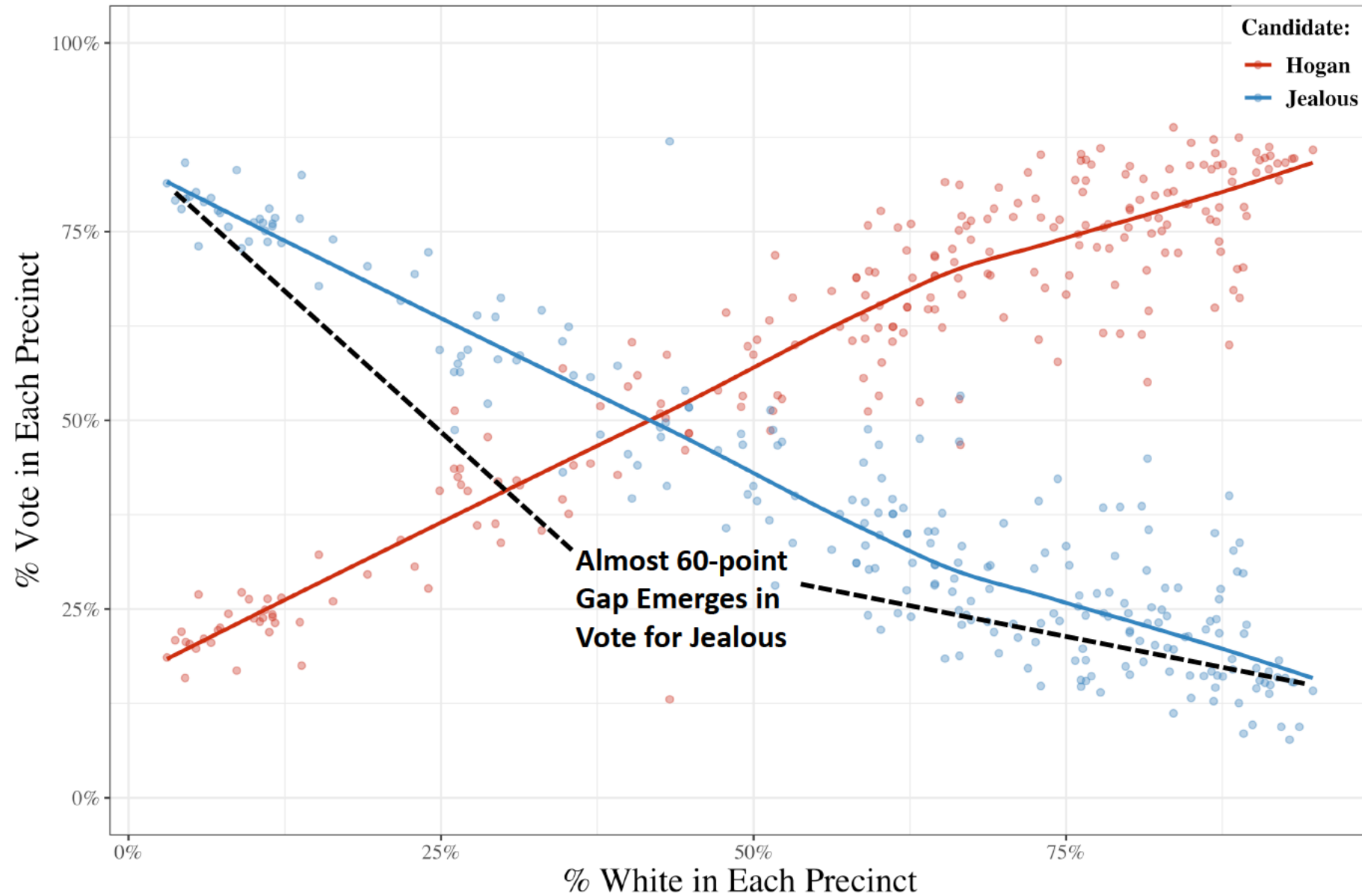


Figure 2A: Vote Choice in the 2018 Gubernatorial Election in Baltimore County

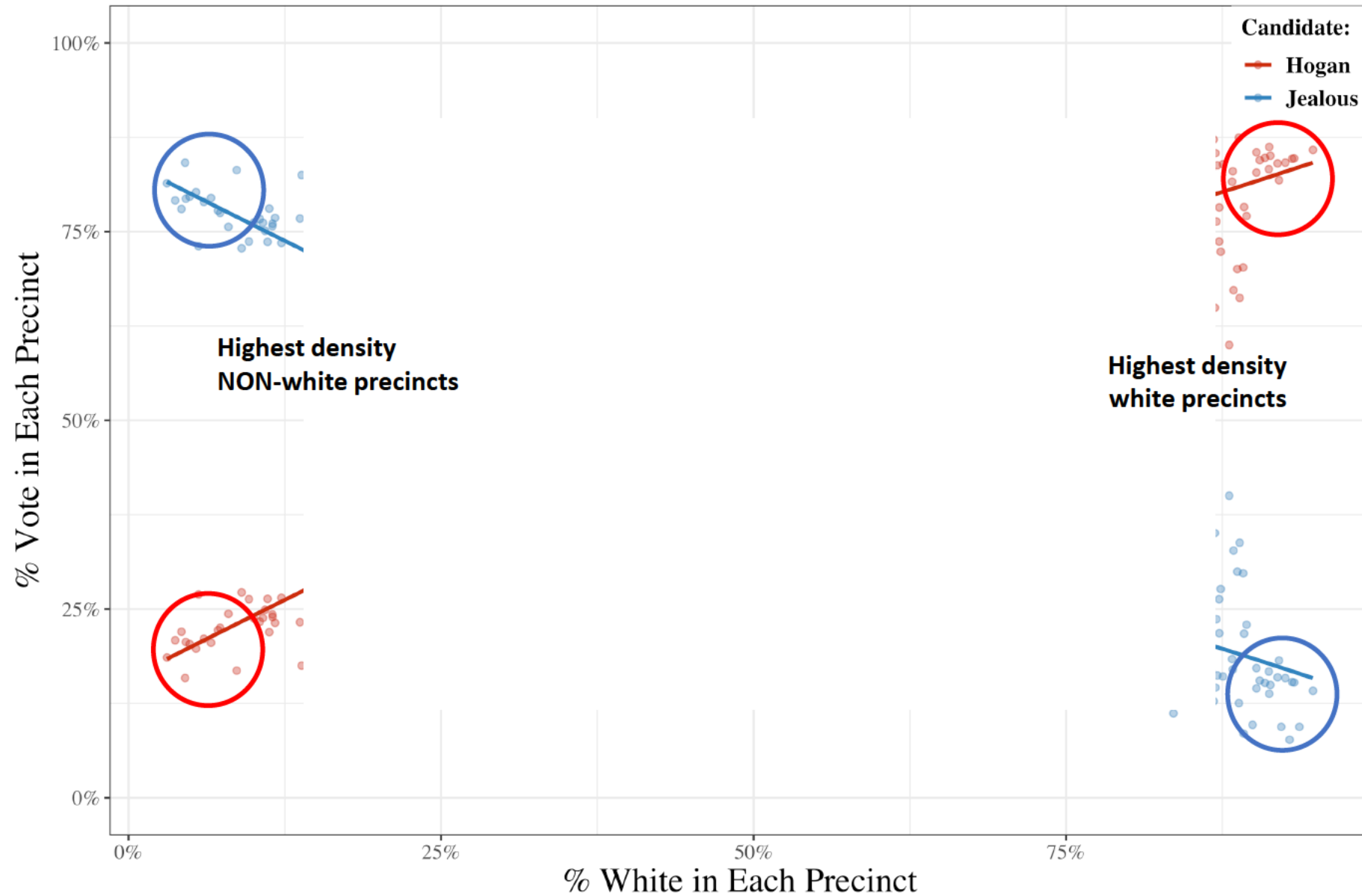


Figure 1A: Vote Choice in the 2014 Gubernatorial Election in Baltimore County

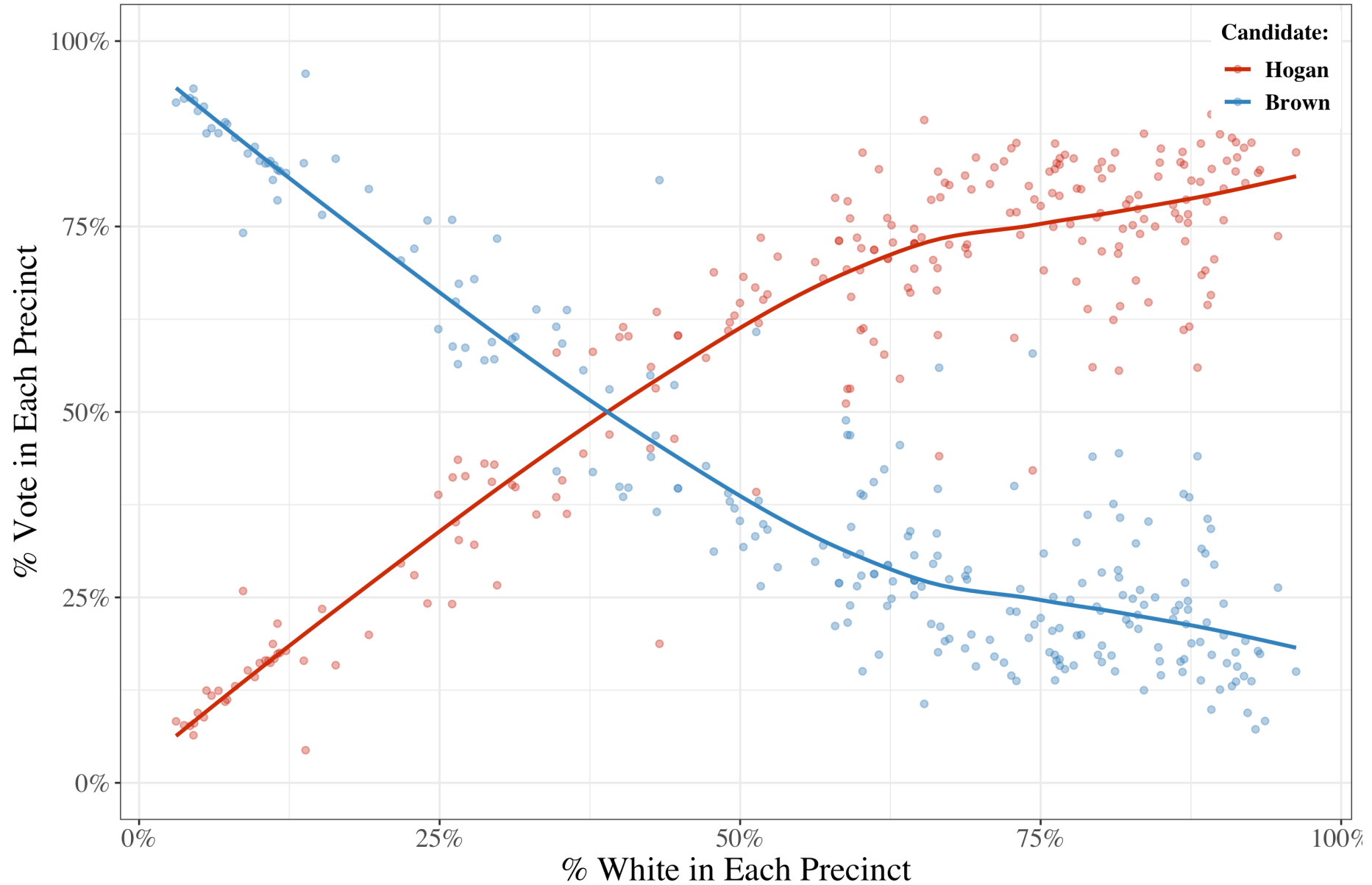
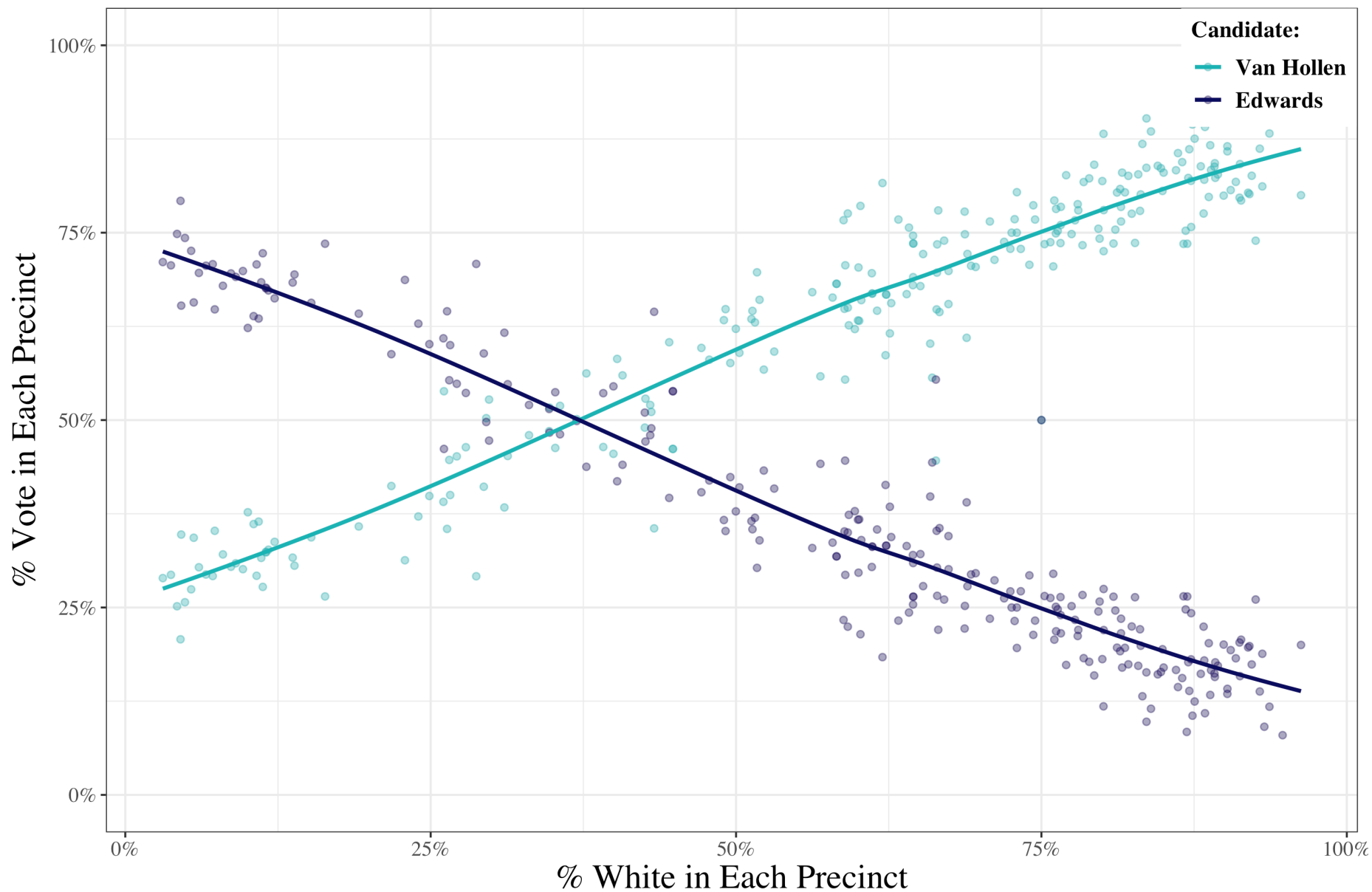


Figure 3A: Vote Choice in 2016 Senate Democratic Primary Election in Baltimore County



SUMMARY OF RACIALLY POLARIZED VOTING**Table 2: Ecological inference analysis of vote choice by race Baltimore County**

	White	Black	Other
Brown	14.3	94.3	41.1
Hogan	85.7	5.7	58.9
Jealous	13.2	86.4	57.9
Hogan	86.9	13.6	43.1
Edwards	8.0	74.6	71.6
Van Hollen	92.0	25.4	28.4

Candidate choice percent estimates using eiCompare package

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SUMMARY OF RACIALLY POLARIZED VOTING – WEST BALTIMORE COUNTY

Table 3: Ecological inference analysis of vote choice by race in Districts 1, 2, 4

	White	Black	Other
Brown	21.5	97.3	45.9
Hogan	78.5	2.7	54.1
Jealous	19.7	85.7	57.7
Hogan	80.3	14.3	42.3
Edwards	5.1	74.4	75.4
Van Hollen	94.9	25.6	24.6

Candidate choice percent estimates using eiCompare package

STATUS QUO ADOPTED MAP DOES NOT PERFORM**14. Table 1: Candidate Performance Comparisons in Newly adopted 2022****County Map Districts 1, 2, and 4**

Year	Election Type	Office	Candidates	Candidate Race	District 1	District 2	District 4
2014	General	Governor	Hogan (R)	White	54.4%	53.8%	22.2%
			Brown (D)	Black	42.9%	44.5%	76.1%
2016	Primary	Senate	Van Hollen (D)	White	51.2%	64.1%	32.8%
			Edwards (D)	Black	39.8%	29.9%	61.8%
2018	General	Governor	Hogan (R)	White	54.2%	56.6%	29.6%
			Jealous (D)	Black	44.5%	42.6%	69.4%

STATUS QUO ADOPTED MAP DOES NOT PERFORM

16. Table 2: Candidate Performance Comparisons in Newly adopted 2022 County Map in elections with White and Black Democrats: Districts 1 and 2

Year	Election Type	Office	Candidates	Candidate Race	District 1	District 2
2014	General	Governor	Hogan (R)	White	54.4%	53.8%
			Brown (D)	Black	42.9%	44.5%
2014	General	Attorney	Pritzker (R)	White	39.6%	37.1%
		General	Frosh (D)	White	55.7%	59.9%
2018	General	Governor	Hogan (R)	White	54.2%	56.6%
			Jealous (D)	Black	44.5%	42.6%
2018	General	Senate	Campbell (R)	White	27.6%	23.0%
			Cardin (D)	White	65.8%	70.7%
2018	General	Attorney	Wolf (R)	White	33.2%	31.7%
		General	Frosh (D)	White	66.7%	68.3%

VOTING PATTERNS FOR BLACK DEMOCRAT VERSUS WHITE DEMOCRAT

Figure 1: Election Results by Race, Baltimore County in D1, D2, and D4

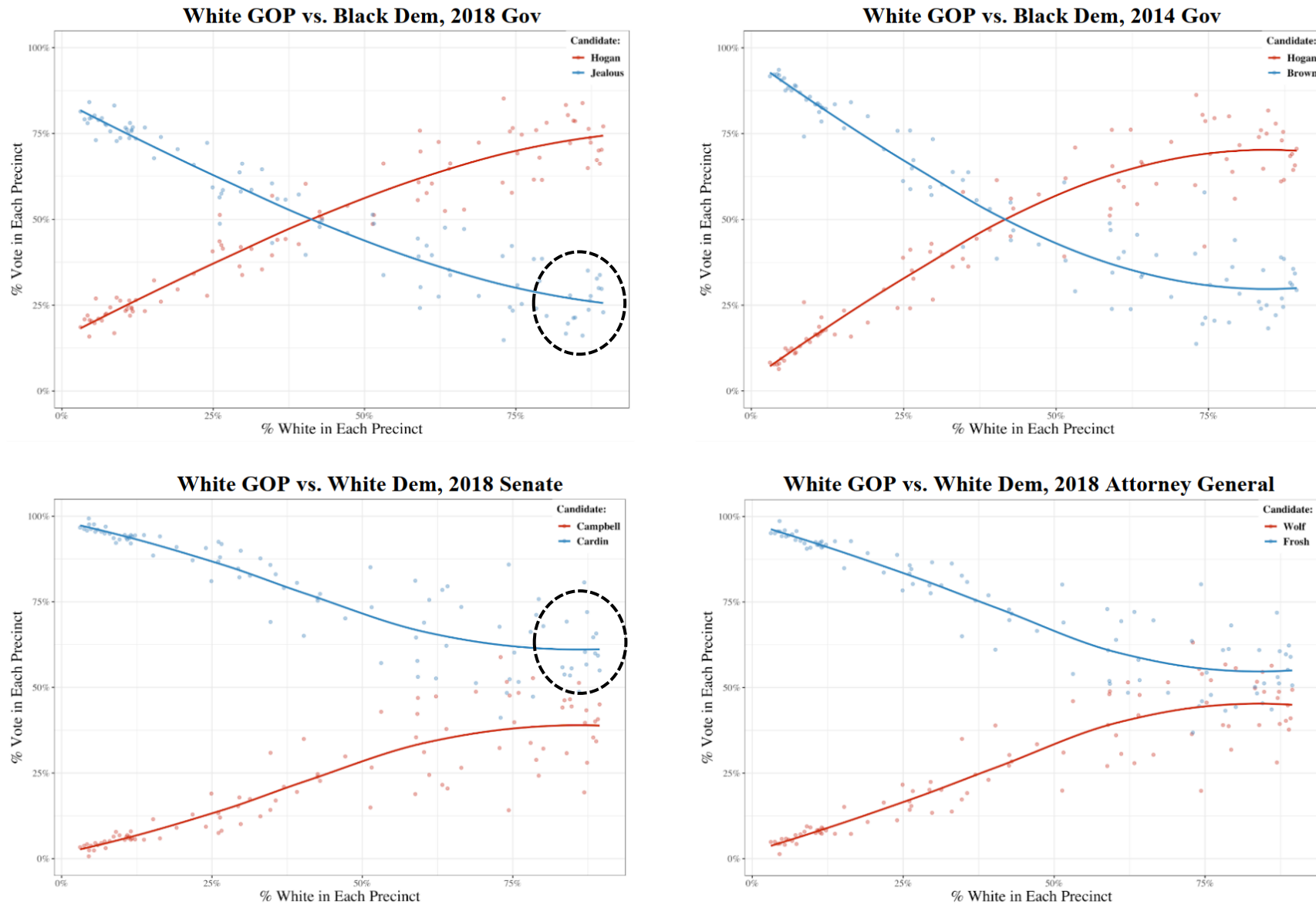


Table 2: Candidate Performance Comparisons in NAACP MAP 1 Districts 1, 2, and 4

Year	Election Type	Office	Candidates	Candidate Race	District 1	District 2	District 4
2014	General	Governor	Hogan (R)	White	36.5%	55.9%	37.3%
			Brown (D)	Black	61.1%	42.1%	60.6%
2016	Primary	Senate	Van Hollen (D)	White	38.5%	70.7%	41.6%
			Edwards (D)	Black	53.9%	23.7%	52.2%
2018	General	Governor	Hogan (R)	White	40.3%	58.0%	40.6%
			Jealous (D)	Black	58.6%	41.1%	58.2%

Table 3: Candidate Performance Comparisons in NAACP MAP 5 Districts 1, 2, and 4

Year	Election Type	Office	Candidates	Candidate Race	District 1	District 2	District 4
2014	General	Governor	Hogan (R)	White	56.0%	36.7%	38.6%
			Brown (D)	Black	41.3%	61.5%	59.7%
2016	Primary	Senate	Van Hollen (D)	White	52.5%	49.9%	42.5%
			Edwards (D)	Black	38.5%	44.7%	51.4%
2018	General	Governor	Hogan (R)	White	55.5%	42.4%	41.7%
			Jealous (D)	Black	43.2%	56.7%	57.3%